

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 4363 OF 2015

Govindrao Rekhaji Rathod

..PETITIONER

VERSUS

Rama Shama Rathod and Others

..RESPONDENTS

....

Mr. K.B. Jadhav, Advocate for petitioner.

Mr. R.J. Godbole, Advocate for Respondent No.1.

Mr. P.B. Rakhunde, Advocate for Respondent No.2

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 16th MARCH, 2016

ORDER :

1. I have heard the learned Counsels for the respective sides for quite sometime.

2. There is no dispute that the judgment and order of the School Tribunal, Aurangabad in Appeal No. 115/1995 dated 17.12.1996 is a subject matter of Writ Petition No. 2970/1997 which is pending final hearing in this Court. The said judgment has not been stayed and the petitioner herein is continued in employment.

3. Pursuant to the earlier order passed by this Court dated 20.04.2015, the petitioner-management has deposited an amount of Rs.55,000/- in this Court on 14.05.2015. As such, issue is with regard to the remaining amount of about Rs.47,000/- only.

4. In the light of the above, ends of justice would be met by directing the petitioner to deposit the remaining amount of Rs.47,000/- in this Court within four weeks from today by disposing off this matter. As such, the total amount of Rs.1,02,000/- shall be subject to the result of Writ Petition No. 2970/1997. In the event Respondent No.3 in the said petition who is Respondent No.1 in this matter files an application for withdrawal of the amount, same shall be considered on its merits.

5. In the light of the above, this petition is disposed off with the direction to the petitioner to deposit the remaining amount of Rs.47,000/- in this Court within four weeks from today as observed above. In the event the said amount is deposited as directed, the proceedings M.A. No. 41/2011 before the School Tribunal shall be disposed off.

6. In the event the petitioner does not deposit the amount as directed, the impugned order dated 17.12.1996 shall be brought into effect in M.A. No. 41/2011.

7. As such, after the amount is so deposited, Respondent No.1 herein shall bring it to the notice of the School Tribunal in M.A. No. 41/2011 and the tribunal shall thereafter dispose off the said application.

(RAVINDRA V. GHUGE, J.)